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THE HONORABLE JULIA GARRATT  
KING COUNTY  
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CASE NUMBER: 12-2-21829-3 SEA

**SUPERIOR COURT OF WASHINGTON FOR KING COUNTY**

**GEOFF TATE and SUSAN TATE**, a  
married couple,

Plaintiffs,

vs.

No. 12-2-21829-3 SEA

**DECLARATION OF SCOTT  
ROCKENFIELD**

**EDDIE JACKSON and TERESA  
GOLDEN-JACKSON**, a married couple;  
**SCOTT ROCKENFIELD and MISTY  
ROCKENFIELD**, a married couple;  
**MICHAEL WILTON and KERRIE LYNN  
WILTON**, a married couple; **TRI-RYCHE,  
CORPORATION**, a Washington  
corporation; **QUEENSRYCHE  
MERCHANDISING, INC.**, a Washington  
corporation; and **MELODISC, LTD.**, a  
Washington corporation,

Defendants.

Under the penalty of perjury under the laws of the State of Washington, I,  
Scott Rockenfield, declare:

I am over 18 years of age.

1 Geoff Tate is not a “founding member” of Queensryche. Chris DeGarmo,  
2 Eddie Jackson, Michael Wilton and I had been working together as a band prior to  
3 Geoff Tate’s involvement. We had worked with various different vocalists prior to Geoff  
4 Tate joining. Geoff Tate joined the band. We did some local shows as The Mob and soon  
5 thereafter Geoff Tate quit working with us as he was more interested in working with  
6 his friends, Myth. We wrote all of the music and a majority of the lyrics on our first EP  
7 and even recorded in various studios with other vocalists. Geoff Tate had only written  
8 lyrics to one song, The Lady Wore Black. The cost of the recording was paid for by Chris  
9 DeGarmo, Eddie Jackson, Michael Wilton and myself. Geoff Tate did not offer any  
10 monies to help with this.

11 All music during the Queensryche era of 1981 until 1997 was written,  
12 performed and recorded by Chris DeGarmo, Eddie Jackson, Michael Wilton and myself.  
13 The so-called songwriting credits were given to the initial songwriter of any one of us  
14 who would bring in a scratched-out idea for the band to review and then potentially  
15 work on as a group. Each individual was then a major contributor to the writing and  
16 performance of every song to make the unique and successful Queensryche sound.  
17 Geoff Tate has only ever written lyrics, and not all of them. He has never written any  
18 music that was used for Queensryche.

19 After 1997, upon Chris DeGarmo’s departure, and as the years moved on,  
20 Geoff Tate became much less interested in working on music with Eddie Jackson,  
21 Michael Wilton and myself, and he slowly began insisting on working with other  
22 musicians to then be called Queensryche music. *Operation: Mindcrime 2* was a perfect  
23 example of Geoff Tate deciding that he would only work on music that he was  
24 interested in. He and Susan Tate hired Jason Slater to produce said record, with Geoff  
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1 Tate deciding that he would only work on music being written by Jason Slater and some  
2 others. This did not result in the Queensryche sound we were known for.

3           Geoff Tate also insisted that work would ONLY be done at his home garage  
4 studio that did not even have the appropriate equipment to allow Eddie Jackson,  
5 Michael Wilton and myself to work there. Eddie Jackson, Michael Wilton and I decided  
6 that to at least try and keep the Queensryche sound, we would record our parts to each  
7 song at our own studios which had the appropriate equipment necessary. After doing  
8 so, Geoff Tate and Jason Slater removed our recorded parts and replaced them with  
9 drum machines and other sub-par musicians (without us even knowing). This was  
10 obviously becoming more and more the monetary and controlling aspect of Geoff and  
11 Susan Tate that would continue for years to come.

12           Eddie Jackson, Michael Wilton and I have never stopped supporting  
13 Queensryche. Geoff Tate has never been the “face” of Queensryche. None of us alone  
14 are the face of Queensryche. Geoff Tate has simply been the vocalist and lyricist. We  
15 have always done equal amounts of touring, promotion, writing, recording, personal  
16 appearances, etc. Susan Tate would consistently only have Geoff Tate do interviews so  
17 that she would make sure and help self-promote her husband and always looking out  
18 for his best interest and not the band’s. In fact, in 1994, Geoff Tate insisted he would  
19 NOT do any promotions for our CD at that time, and as such, the rest of us spent  
20 months doing promotions, press, personal appearances, etc.

21           A significant amount of the profit generated from our QR merchandising  
22 while under the control of Geoff Tate and his family members was going directly into  
23 the Tates’ pockets. While the band did make profits, we had a significant amount of fans  
24 complaining, orders done wrong, long turn-around times for shipments, etc. Also  
25 during those times of them running our merchandise office, Miranda and Susan Tate

1 decided to not take appropriate care of our rental office. They continuously brought  
2 their pets and also allowed others to have extended stays at the office without  
3 informing the band and also going strictly against the rules of our lease agreement and  
4 causing damage. Miranda and Susan Tate put themselves on significant salaries to run  
5 the corporation. It was only after some very thorough investigation did we discover this  
6 and move on to a more professional merchandising company.

7           The research began for new merchandising possibilities and Showtech was  
8 just one of those. Their proposal was an industry standard from a very professional  
9 company that has been doing merchandise for the band Rush for over 30 years now.  
10 The Tates obviously had ulterior motives for expressing their concerns of any new  
11 merchandising company, being that the Tate family had put themselves on our payroll.

12           We followed all the guidelines and bylaws of the corporation and the state of  
13 Washington to schedule meetings. Geoff Tate was notified each and every time, but he  
14 consistently refused to participate, and had even hired an attorney to speak through  
15 and make legal rebuttals to our meetings being scheduled. Because Geoff Tate  
16 continuously refused to participate, we were forced to continue these meetings without  
17 him. We did have a meeting without Geoff Tate prior to the Sao Paulo incident, that was  
18 properly notified and called, but he claimed "scheduling conflicts" and refused to  
19 participate. It was at that meeting that we shut down the in-house merchandising and  
20 terminated Susan Tate's management. He was then sent an official letter of the meeting  
21 minutes just prior to the Brazil show he mentions. That led to the emergency meeting  
22 where everything from the meeting he did not participate in was discussed and ratified  
23 again.

24           By Geoff Tate's actions and assaults that evening on stage, including his  
25 continued spitting on me throughout my performance as later seen on YouTube, he

1 made it perfectly clear that he was not happy with the results and decisions of the  
2 meeting. Also, let me be perfectly clear, as I have stated this many times, I NEVER said  
3 anything to Geoff Tate prior to the stage assault regarding "I'm firing you next." His  
4 "facts" have been, and are still, completely false and incorrect. I have multiple  
5 eyewitnesses who can corroborate this event and his false and misleading accusations to  
6 this date.

7           The two remaining shows that we concluded thereafter were met with Geoff  
8 Tate continuously telling the crowds how "they sucked." His actions were also  
9 continuously threatening to the band members, which forced us to hire and insist on  
10 additional security at the shows to keep Geoff Tate separated from the band and crew.  
11 Geoff Tate has never apologized to us, or shown ANY regret or remorse for his actions  
12 and assaults. And because he has chosen to do this many times to the band and crew  
13 members during our career, we feel that he will not ever regret his actions and also feel  
14 he has uncontrollable anger and violent tendencies that will continue to be directed  
15 towards the band and crew.

16           Geoff Tate continues to harm the Queensryche brand. Our newest self-titled  
17 Queensryche CD entered the U.S. charts at #23 and continues to get 9 out of 10 star  
18 reviews and is still selling very well on a weekly basis around the globe. In comparison,  
19 Geoff Tate's Queensryche CD titled *FU* entered the charts at #82, received very bad  
20 reviews around the world, and has slowed to almost no more weekly sales. This was an  
21 extremely poor attempt at beating us to get a CD out in the stores without considering  
22 the standard that Queensryche is known for. Our new CD even outperformed the last  
23 two CDs with all of us together, selling more in a month than *Dedicated to Chaos* has  
24 since its release in 2010, and charting much better than both that album and the  
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1 previous one, *American Soldier*. Thus, the return to the classic sound we have taken with  
2 the new CD and live shows has been met with overwhelming success.

3 In 1994, all five band members signed separate Employment and Songwriter  
4 Agreements as well as the Shareholders Agreement for the Tri-Ryche Corporation.  
5 Although those agreements had thresholds requiring "80%" votes to do things like  
6 terminate a member's employment or make a change in use of the "Queensryche"  
7 name, we understood that as if every member but one agreed on something then it was  
8 okay. So when Chris DeGarmo left the band in 1997 and the four remaining members  
9 had 25% shares of stock instead of 20%, we simply presumed that 75% replaced 80% as  
10 the thresholds in all those corporate agreements. Otherwise, it meant that everything  
11 would have to be 100% as a practical matter, and it was never anyone's intent that  
12 everything had to be unanimous.

13 We also never formally changed anything in writing because the 80% or 75%  
14 threshold was never an issue until we had to fire Geoff Tate after his assault on the  
15 other members and other erratic behavior.

16 SIGNED this 13<sup>th</sup> day of November, 2013, at Snohomish County, State of  
17 Washington.

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Scott Rockenfield

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**DECLARATION OF SERVICE**

I declare under penalty of perjury under the laws of the State of Washington that on this date I caused the foregoing document to be served on the following persons via the method indicated:

Joshua C. Allen  
Benjamin J. Stone  
Denver R. Grant  
VERIS LAW GROUP, PLLC  
1809 Seventh Avenue, Suite 1400  
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206.829.9590 (tel)  
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- Overnight Delivery via Fed Ex
- First Class Mail via USPS
- Hand-delivered via ABC Legal Messenger
- Facsimile
- Email

DATED this 14<sup>th</sup> day of November, 2013, at Tacoma, Washington.

OSINSKI LAW OFFICES, PLLC

By s/ Thomas T. Osinski, Jr.  
Thomas T. Osinski, Jr., Esq., WSBA #34154  
Attorney for Defendants  
Jackson, Rockenfield and Wilton